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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,948	03/06/2000	Fred Slavin	72167.000141	8859

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HUNTON & WILLIAMS LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
1900 K STREET, N.W.  
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WASHINGTON, DC 20006-1109

EXAMINER
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KARMIS, STEFANOS

ART UNIT	PAPER NUMBER
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3693

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/518,948	<b>Applicant(s)</b> SLAVIN ET AL.	
	<b>Examiner</b> STEFANOS KARMIS	<b>Art Unit</b> 3693	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24, 67-91, 94 and 96-99 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 67-91, 94, and 96-99 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The following communication is in response to the amendment filed 21 October 2009.

#### ***Status of Claims***

2. Claims 1, 4, 8, 67, 70, 74, and 97 are currently amended. Claims 1-24 and 67-91, 94, and 96-99 are currently pending.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-24 and 67-91, 94, and 96-99 have been considered but are not persuasive.
4. Applicant's amendment to claim 1 is not positively recited. For example, claim 1 recited, *receiving, at an ordering and payment allocation system for the seller, a plurality of orders...* However, the phrase "for the seller" does not provide an active limitation in the claim, and the claim is interpreted the same whether "for the seller" is recited in the claim or not. There is no indication in the claim of how the order and payment allocation system is for the seller. It does not appear that the seller has control over the ordering and payment allocation system or accesses the system in a particular manner. Independent claims 67 and 97 contain similar amendments and are rejected under the same reasoning. Therefore, Applicant's amendment to the claims is insufficient to overcome the standing rejection.
5. The Examiner invites the Applicant to schedule an interview in order to discuss possible amendments to the claims that will assist in overcoming the prior art and advancing prosecution.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-23 and 67-89, 91, 94, 96 and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bissonette et al. (hereinafter Bissonette) U.S. Patent 6,343,279 in view of Barnes et al. (hereinafter Barnes) U.S. Patent 5,970,475 in view of Embrey U.S. Patent 6,311,170 in further view of Weissman U.S. Patent 6,032,134.

Regarding independent claims 1, 67 and 97, Bissonette teaches a method for an ordering and payment allocation system for a seller, the method comprising the acts of:

Receiving at an order and payment allocation system for the seller, a plurality of orders comprising at least one order from more than one of the plurality of buyers associated with the buying entity, the plurality of orders corresponding to a seller (column 5, lines 17 thru column 6, line 30);

consolidating at the ordering and payment allocation system for the seller, the plurality of orders into a consolidated invoice comprising particulars on the orders of the plurality of buyers associated with the buying entity (column 9, line 62 thru column 10, line 10 and column 14, lines 14-20);

Art Unit: 3693

making the consolidated invoice available to the at least one buyer (column 9, line 62 thru column 10, line 10 and column 14, lines 14-20);

receiving, at the ordering and payment allocation system, an approved consolidated invoice, including an indication as to which orders a payment is being approved and which orders are being disputed or excepted (column 3, lines 36-55 and column 7, lines 44-54); and allocating the payments using post reconciliation (column 14, lines 21-43).

Bissonette fails to teach that there are a plurality of buying entities and that the sellers have a plurality of subsidiaries. Barnes teaches an electronic procurement system and method for trading partners which enables corporate purchasers and suppliers to electronically transact for the purchase and supply of goods/services (Abstract). The system and method allows for a plurality of buying entities and sellers with a plurality of subsidiaries (column 7, lines 48-59 and column 23, lines 4-35). Barnes also notes that the system is good for organizations with a plurality of employees who have different levels of authorizations (column 3, lines 13-20). Barnes teaches sending payments and receiving invoices (column 3, lines 44 thru column 4, line 4). Barnes further teaches providing suppliers with accounting reports (column 22, lines 46-67; Examiner notes the accounting reports are analogous to A/R data). It would have been obvious to a person of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Bissonette to include the teachings of Barnes because it allows for a plurality of buyers and suppliers to interact with one another and thus provide greater information and reach in the business environment.

Bissonette in view of Barnes fails to teach aggregating and disaggregating payments. Embrey teaches consolidating invoices for each buyer associated with the buying entity and

Art Unit: 3693

receiving at the ordering and payment allocation system each of the consolidated invoices corresponding to the buying entity as well as receiving an aggregate payment and disaggregating each of the aggregated payments by associating portions of the aggregated payment with an approved order and a corresponding subsidiary.

Embrey teaches a system for consolidating and streamlining payment activities through the utilization of a third party service provider and allows a service provider to make payments, on behalf of a plurality of payor entities to a plurality of payee entities (column 2, lines 50-60). Payments are made on behalf of a plurality of payors by a plurality of associated buying entities (column 24, lines 29 thru column 25, line 14 and Figure 27). Payments are aggregated and disaggregated (column 27, line 2 thru column 28, line 47). Embrey further teaches that an authorization code is required for payment (column 26, lines 45-60).

It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Bissonette in view of Barnes to include the consolidated invoice teachings of Embrey because it allows for easy bill management through a single payment for multiple purchases.

Bissonette in view of Barnes in further view of Embrey fail to depicts a consolidated invoice as suggested by Applicant where the buying entity receives an invoice with each employees consolidated invoices attached. Weissman teaches a credit card billing system for identifying expenditures on a credit card account an invoice for a buying entity is broken down by employees (column 3, lines 33-65 and Figures 2A and 2B). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Bissonette in view of Barnes in further view of Embrey to include the consolidated invoice

Art Unit: 3693

teachings of Weissman because it allows for easy presentation to supervisors or companies for managing purchases by employees.

Claims 2, 3, 68 and 69, Bissonette teaches that orders/purchases are loaded into the system electronically for review after a purchase during an Internet session (column 5, lines 1-10). Barnes also teaches orders are received electronically and via the Internet (column 6, lines 13-32).

Claims 4 and 70, the act of evaluating a received order against at least one of a spending limit corresponding to the buyer's organization and an available credit limit corresponding to the buyer's organization to determine whether to book the received order (column 3, lines 1-15 and column 7, lines 44-54).

Claims 5, 6, 71 and 72, booking those received orders which have been evaluated as not exceeding the evaluated spending limits and creating a receivable entry in a seller account receivable system (column 2, lines 48-58 and column 3, lines 1-15).

Claims 7, and 73, the consolidation act is comprised of the acts of sorting and compiling the booked orders to create a single invoice (column 3, lines 1-15 and column 14, lines 14-20).

Art Unit: 3693

Claims 8, and 74, compiling includes formatting booked orders received from different buying organizations into a common format (column 7, lines 7-30). Barnes also teaches formatting of documents (column 25, lines 41-50).

Claims 9, 10, 75 and 76, the consolidated invoice includes sub-invoice data, sub-invoice data being data which corresponds to booked orders placed by a respective user and transmitting it to the respective user (column 6, lines 56-67 and column 13, line 66 thru column 14, line 20; Examiner notes the employee can be presented with the bill or statement for review).

Claims 11 and 77, making the consolidated invoice available includes sending an electronic message to the buyer to notify the buyers of an availability of the consolidated invoice, distributing a paper statement to the buyer and transmitting the consolidated invoice to the buyer (column 6, lines 56-67 and column 9, line 62 thru column 10, line 10).

Claims 12 and 78, displaying the consolidated invoice on a buyer terminal, wherein the buyer indicates approval of sub-invoice items corresponding to the consolidated invoice using the buyer terminal (column 6, lines 56-67 and column 13, line 66 thru column 14, line 20).

Claims 13, 23, 79, 80 and 89, Bissonette teaches dispute processing and dispute accounting codes for types of disputes (column 12, line 56 thru column 13, line 16 and column 6, lines 56-67).

Art Unit: 3693

Claims 14, 15, 79, and 80, using the buyer terminal to authorize payment to the seller and receiving a payment from the buyer (column 6, lines 56-67 and column 13, line 66 thru column 14, line 20).

Claims 16, and 82, Bissonette fails to teach the details of receiving payment. Barnes teaches various ways to make a payment including one of an automated clearing house, a wire transfer, a lock box, a foreign exchange trade, electronic cash, netting via the Internet, an electronic wallet and a check (column 8, lines 48 thru column 9, line 3). Embrey teaches a system for consolidating and streamlining payment activities through the utilization of a third party service provider and allows a service provider to make payments, on behalf of a plurality of payor entities to a plurality of payee entities (column 2, lines 50-60). Payments are made on behalf of a plurality of payors by a plurality of associated buying entities (column 24, lines 29 thru column 25, line 14 and Figure 27). Payments are aggregated and disaggregated (column 27, line 2 thru column 28, line 47). Embrey further teaches that an authorization code is required for payment (column 26, lines 45-60).

Claims 17 and 83, updating a payment master database comprising records of payment date, payment method, payment reference, payment amount, from currency, to currency f/x tax and fee data, distribution status, and an amount distributed (column 2, lines 59-67).

Claims 18, and 84, processing the received payments (column 6, lines 56-67 and column 13, line 66 thru column 14, line 20).

Art Unit: 3693

Claims 19 and 85, performing a consolidated receivable process to gather payment data into consolidated receivables data for a single report, matching the consolidated receivables data to an outstanding sub-invoice file and providing the matched data to the seller; providing complete accounts receivable processing, the act of providing complete accounts receivable processing comprises the acts of: receiving the matched data, applying the merged and consolidated receivables data to create accounts receivable and general ledger update data, and updating a general ledger corresponding to the seller (column 6, lines 56-67 and column 13, line 66 thru column 14, line 20).

Claims 20 and 86, payment data is gathered into the single report during the consolidated receivables process received from a plurality of service providers (column 6, lines 56-67 and column 13, line 66 thru column 14, line 20).

Claims 21 and 87, Bissonette fails to teach the details of receiving payment. Barnes teaches various ways to make a payment including one of an automated clearing house, a wire transfer, a lock box, a foreign exchange trade, electronic cash, netting via the Internet, an electronic wallet and a check (column 8, lines 48 thru column 9, line 3). Embrey teaches a system for consolidating and streamlining payment activities through the utilization of a third party service provider and allows a service provider to make payments, on behalf of a plurality of payor entities to a plurality of payee entities (column 2, lines 50-60). Payments are made on behalf of a plurality of payors by a plurality of associated buying entities (column 24, lines 29

Art Unit: 3693

thru column 25, line 14 and Figure 27). Payments are aggregated and disaggregated (column 27, line 2 thru column 28, line 47). Embrey further teaches that an authorization code is required for payment (column 26, lines 45-60).

Claims 22 and 88, the funding report generation act is comprised of the act of updating a payment master database to reflect a distribution status and amount distributed to the corresponding subsidiary (column 2, lines 59-67).

Regarding claims 91 and 94, Bissonette teaches assigning a unique reference number to the consolidated invoice to enable tracking and invoice management (column 9, lines 62 thru column 10, lines 53; Examiner notes there are document numbers, statement numbers and other data used to track invoices).

Claim 96, Bissonette teaches determining before the order is booked whether the at least one buyer is able to effect payment (column 5, lines 58 thru column 6, line 7).

Regarding claims 98 and 99, Bissonette fails to teach the details of receiving payment. Barnes teaches various ways to make a payment including one of an automated clearing house, a wire transfer, a lock box, a foreign exchange trade, electronic cash, netting via the Internet, an electronic wallet and a check (column 8, lines 48 thru column 9, line 3). Embrey teaches a system for consolidating and streamlining payment activities through the utilization of a third party service provider and allows a service provider to make payments, on behalf of a plurality

Art Unit: 3693

of payor entities to a plurality of payee entities (column 2, lines 50-60). Payments are made on behalf of a plurality of payors by a plurality of associated buying entities (column 24, lines 29 thru column 25, line 14 and Figure 27). Payments are aggregated and disaggregated to two or more subsidiaries (column 27, line 2 thru column 28, line 47).

8. Claims 24 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bissonette et al. (hereinafter Bissonette) U.S. Patent 6,343,279 in view of Barnes et al. (hereinafter Barnes) U.S. Patent 5,970,475 in view of Embrey U.S. Patent 6,311,170 in further view of Weissman U.S. Patent 6,032,134 in further view of Jennings et al. (hereinafter Jennings) U.S. Patent 5,825,003.

Claims 24 and 90, Bissonette in view of Barnes in view of Embrey in further view of Weissman fails to teach funding a subsidiary corresponding to a holding account via a foreign exchange if the incremental funding amount equals or exceeds a predetermined total when combined with a holding account amount. Jennings teaches a customer-directed, automated process for transferring funds between accounts using a holding account and local processing (Abstract). Jennings teaches processing transactions based on predetermined limits and through foreign exchanges (column 15, line 65 thru column 165, line 6). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Bissonette, Barnes, Embrey, and Weissman to include the teachings of Jennings because it allows for more secure transactions when processing payments and allocating funds.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEFANOS KARMIS whose telephone number is (571)272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted  
/Stefanos Karmis/  
Primary Examiner, Art Unit 3693  
6 January 2010